

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	
	§	Art Unit: N/A
ASK, Kenneth <i>et al.</i>	§	
	§	Examiner: N/A
Serial No.: 10/604,782	§	
Filed: 08/15/2003	§	
For: APPARATUS FOR REDUCING GEAR	§	
TRAIN BACKLASH	§	

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

CERTIFICATE of HAND DELIVERY

I hereby certify that this correspondence and any attachments referred to herein are being hand delivered to the United States Patent and Trademark Office, Arlington, Virginia 22202 on 18 August 2003.

  
Daniel Hernandez

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with Rules 1.97 and 1.98, and in fulfillment of the duty of disclosure under Rule 1.56, it is respectfully requested that the references listed on the accompanying enclosed Form PTO-1449 be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference is enclosed.

An explanation of the relevance of these references is that they were cited in the International Search Report for corresponding International Application No. PCT/SE02/00236. An English language version of the foreign search report is attached for the Examiner's information.

Examiner's attention is directed toward inconsistencies in the Search Report and the International Preliminary Examination Report; even though the Search Report designates DE 3901076 A1 as being an "X" type reference, in the Examiner's discussion he states the following:

*"D1 discloses the general state of the art for an apparatus for reducing backlash in a gear wheel of the above-cited type. The apparatus for reducing backlash stated in claim 1 differs from prior art disclosed in D1 by the features stated in the characterizing part. Claim 1 therefore fulfils the requirements of novelty according to Article 33(2).*

*It is not considered as common practice to a person ordinary skilled in the art to use knowledge disclosed in D1 and thus arrive at an apparatus for reducing backlash stated in claim 1. Claim 1 therefore fulfils the requirements of inventive step according to Article 33(3).*

*Claim 1 also fulfils the requirements of industrial applicability according to Article 33(4).*

*Claims 2-5 disclose further features of the invention which fulfill the requirements of patentability stated in paragraphs (2-4) of Article 33."*

The above is brought to the Examiner's attention for evaluation purposes regarding the non-English reference DE 3901076 A1.

This Information Disclosure Statement is being filed within three months of the U.S. filing date. No statement under 37 C.F.R. § 1.97(e) or fee is required


Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, or an admission that the information cited is, or is considered to be, material to patentability, or that the information is analogous to the subject matter of the present invention, or that no other material information exists. Further, the filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Written notification that the enclosed references have been considered in their entirety by return of a copy of the enclosed form, completed by the Examiner, is respectfully requested.

Respectfully submitted,

Dated: 18 Aug '03

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Form PTO-1449  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)  Sheet <u>1</u> of <u>1</u>	<b>Atty. Docket No.</b> 07589.0126.PCUS00	<b>Serial No.</b> 10/604,782
	<b>First Named Inventor</b> ASK, Kenneth	
	<b>Filing Date</b> 08/15/2003	<b>Group</b> Unknown

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No.	Document Number	Date of Publication	Name of Patentee or Applicant of Cited Document	Int'l. Class	U.S. Class
	A1	US 5979260	11/09/1999	Long et al.	F16H55/18	74/440

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Cite No.	Country Code – Number – Kind Code	Date of Publication (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	English
	B1	DE 3901076 A1	08/03/1989	Volkswagen AG	NO

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>*Examiner:</b> Initial if referenced considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	